

Kansas did, in fact, deregulate all construction materials. It has worked well in Kansas. As a matter of fact, this bill tracks the Kansas statute very closely. In Nebraska, apparently in an effort to circumvent tariff requirements, many truckers are willing to haul for less than minimum tariff rates. They purchase construction materials from the producers and then haul the material to the ultimate user and the buyer. . . .and then sell it to the user. Now the bill would allow producers to sell directly to the ultimate user and deliver the material by truckers who are willing to haul for competitive rates. Now if such a rate is less than the minimum tariff rate, the result in savings should reflect then to the benefit of the owner of the construction project which quite often would be the taxpayers of the State of Nebraska or certainly one of its governmental subdivisions. The producers of construction material, the construction companies who use the materials, the truckers who haul the materials, the truckers who would be free to set their own rates, incidentally, have all expressed an interest in and a support for the legislation. You will notice I think in the bill book the Public Works Committee hearing on the bill, no one testified against the bill. As a matter of fact, I think it came out of committee with only, as I recall, one dissenting vote. Mr. President, I would move the bill be advanced to E & R initial.

SPEAKER NICHOL: Senator Doyle and then Senator Beyer.

SENATOR DOYLE: Yes, Mr. President, members of the body, I rise to support the advancement of LB 309, having been at one time in the business of both producing and using construction materials in ready mixed concrete and having some familiarity with the construction industry. This bill does exactly what Senator Barrett has indicated to you. It does foster competition. It allows that small operator to haul for whatever rate they feel that they can afford to haul for, be it less than the tariff or around or above the tariff rate. It is a bill which will...should ultimately result in less cost to the consumer without any additional, let's say, risk insofar as the hazards of hauling are concerned because it does not exempt anything except the tariff itself from the control or the purview of the Public Service Commission. So I would commend to this body LB 309 as a step in the direction of fostering competition and I would urge your support in advancement of the bill.

SPEAKER NICHOL: Senator Beyer.

SENATOR BEYER: Mr. Speaker and colleagues, I am going to